

Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 IO-10 ISO-00 OIC-02 AF-06 ARA-06 EA-06

NEA-09 USIE-00 INRE-00 NSCE-00 CIAE-00 DODE-00 PM-03

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APPROVED BY L:SMSCHWEBEL

IO - MR. BLAKE

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FM SECSTATE WASHDC

TO AMEMBASSY VIENNA IMMEDIATE

INFO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 055844

E.O. 11652: N/A

TAGS: PORG, AORG, PDIP, UN, AV

SUBJECT: CONFERENCE ON REPRESENTATION OF STATES

REFS: A. VIENNA 2059; B. VIENNA 2141

FOR USDEL REPRESENTATION CONFERENCE

1. DEPT APPRECIATES COMPREHENSIVE ANALYSIS OF CONFERENCE PROSPECTS CONTAINED REF A. WE AGREE THAT TEXT OF CONVENTION THUS FAR ADOPTED IS NOT ACCEPTABLE TO USG, AND WOULD BE EVEN LESS SO WITH CHANGES WHICH YOU BELIEVE ARE LIKELY TO OCCUR IN PLENARY.

2. ACCORDINGLY, WE AGREE THAT IN PLENARY YOU SHOULD VOTE AGAINST THOSE PROVISIONS WHICH ARE UNACCEPTABLE IN SUBSTANCE, INCLUDING ANY ENTRY INTO FORCE CLAUSE WHICH REQUIRES FEWER RATIFICATIONS THAN VIENNA CONVENTION ON LAW OF TREATIES.

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3. WITH RESPECT TO PROVISIONS DESCRIBED IN PARA 1B OF
REF A REQUEST DEL REPORT ITS VOTING RECOMMENDATIONS.

4. WITH RESPECT TO VOTE ON CONVENTION AS A WHOLE, WE ARE
GENERALLY IN AGREEMENT WITH YOUR ANALYSIS IN REF B.
ACCORDINGLY, YOU HAVE DISCRETION EITHER TO ABSTAIN OR VOTE
AGAINST, DEPENDING ON DEGREE TO WHICH OTHER HOST STATE
DELS ARE WILLING TO SUPPORT NEGATIVE STANCE. OUR STRONG

PREFERENCE WOULD BE FOR A SIGNIFICANT BLOC OF U.S. AND
OTHER NEGATIVE VOTES, (FOR EXAMPLE, TOTAL OF 3-4 OF PRIN-
CIPAL HOST STATES AND EQUAL NUMBER OF OTHERS) IF THIS
CAN BE ACHIEVED, AND YOU SHOULD DO ALL YOU CAN TO OBTAIN
THIS RESULT.

5. IN YOUR EXPLANATION OF VOTE IN PLENARY, YOU SHOULD
EMPHASIZE U.S. VIEW THAT: (A) CONVENTION WHICH DOES NOT
TAKE ADEQUATE ACCOUNT OF HOST STATE CONCERNS CANNOT
BE BASIS FOR NEW P&I REGIME; AND (B) CONFERENCE TEXT
DOES NOT STATE CUSTOMARY LAW ON P&I AND IS NOT BINDING
ON STATES WHICH DO NOT ADHERE TO CONVENTION. YOU SHOULD
MAKE EVERY EFFORT TO ENCOURAGE OTHER DELS TO MAKE SIMILAR
STATEMENTS.

6. FINALLY, WE AGREE THAT YOU SHOULD SIGN FINAL ACT AS
CONFERENCE PARTICIPANT, BUT SHOULD NOT RPT NOT SIGN
CONVENTION. INGERSOLL

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